



The Planning Inspectorate
Yr Arolygiaeth Gynllunio

Section 55

Acceptance of Applications Checklist

Appendix 3 of Advice Note Six: Preparation and submission of application documents

A1 in Northumberland – Morpeth to Ellingham Section 55 Acceptance of Applications Checklist

Section 55 of the Planning Act 2008 can be viewed at legislation.gov.uk, here:
<http://www.legislation.gov.uk/ukpga/2008/29/section/55>

DISCLAIMER: This Checklist is for information only and is not a formal application document. It is a non-statutory checklist for the Planning Inspectorate to complete. Completion or self-assessment by the Applicant does not hold weight at the Acceptance stage. Unless specified, **all references to the Planning Inspectorate are made in relation to functions being carried out on behalf of the Secretary of State for Housing, Communities and Local Government.**

Section 55(2) Acceptance of Applications				
1	Within 28 days (starting day after receipt) the Planning Inspectorate must decide whether or not to accept the application for Examination.	Date received	28 day due date	Date of decision
		07 July 2020	04 August 2020	04 August 2020
Section 55(3) – the Planning Inspectorate may only accept an application if it concludes that:			Planning Inspectorate comments	
Section 55(3)(a) and s55(3)(c): It is an application for an order granting development consent				
2	Is the development a Nationally Significant Infrastructure Project ¹ (NSIP) (or does it form part of an NSIP); and does the application state on the face of it that it is an application for a Development Consent Order ² (DCO) under the Planning Act 2008 (the PA2008), or equivalent words? Does the application specify the development to which it relates (i.e. which	<p>Yes.</p> <p>The Proposed Development set out in Schedule 1 of the Draft DCO (Doc 3.1) includes development falling within the categories in s14 of the PA2008. The development is for the construction of a highway and satisfies Section 22 of the PA2008; including 22(1)(a) and 22(1)(b).</p>		

¹ NSIP is defined generally in s14 with the detailed thresholds for each of the specified categories being set out in ss15 to 30

² Development consent is required for development to the extent that the development is or forms part of an NSIP (s31 of the PA2008)

	<p>category or categories in ss14 to 30 does the Proposed Development fall)?</p> <p>If the development does not fall within the categories in ss14 to 30, has a direction been given by the Secretary of State under s35 of the PA2008 for the development to be treated as development for which development consent is required?</p>	<p>This is consistent with the summary provided in section 4 of the Application Form (Doc 1.3) which states that the application is for an NSIP.</p>
3	<p>Summary: Section 55(3)(a) and s55(3)(c)</p>	<p>The Planning Inspectorate is satisfied that the Draft DCO (Doc 3.1) includes development for which development consent is required.</p>
<p>Section 55(3)(e): The Applicant in relation to the application made has complied with Chapter 2 of Part 5 (pre-application procedure)</p>		
4	<p>In accordance with the EIA Regulations³, did the Applicant (prior to carrying out consultation in accordance with s42) either (a) request the Planning Inspectorate adopt a Screening Opinion in respect of the development to which the application relates, or (b) notify the Planning Inspectorate in writing that it proposed to provide an Environmental Statement in respect of that development?</p>	<p>No.</p> <p>On 15 May 2020 the Applicant notified the Planning Inspectorate in accordance with Regulation 8(1)(b) of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 of its intention to provide an Environmental Statement (ES) in respect of the Proposed Development. The notification was received after the start of statutory consultation on 16 April 2020.</p> <p>The Applicant explains in paragraph 2.6.5 of the Consultation Report (Doc 5.1) that it sought to send the Planning Inspectorate notification under Regulation 8(1)(b) as a precautionary measure on 16 April 2020, believing that it had previously met its duty in this regard for each of the two components that make up the Proposed Development. However, due to technical issues, the notification was not sent until 15 May 2020 which was after the start of statutory consultation.</p> <p>Paragraph 2.6.6 of the Consultation Report (Doc 5.1) provides justification for why the Applicant considers there was no legal requirement to notify the Planning</p>

³ Regulation 8 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 (2017 EIA Regulations), or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 6 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (2009 EIA Regulations)

		<p>Inspectorate under Regulation 8(1)(b) prior to carrying out statutory consultation on 16 April 2020.</p> <p>A copy of the notification letter dated 15 May 2020 is provided at Appendix B of the Consultation Report Appendices (Doc 5.2).</p> <p>The Planning Inspectorate’s interpretation of the EIA Regulations is that the Applicant should have notified the Inspectorate under Regulation 8(1)(b), prior to carrying out consultation under s42 of the PA2008.</p> <p>This has not been complied with.</p> <p>In consideration of whether any parties have been prejudiced by this, it is noted that all statutory parties who the Planning Inspectorate would notify upon receipt of notification under Regulation 8(1)(b) should have been aware of their statutory duty to make available to the Applicant information in their possession which is considered relevant to the preparation of the Environmental Statement by virtue of engagement on the two components that make up the Proposed Development.</p> <p>Furthermore, we have not received any correspondence from either statutory parties or from the Adequacy of Consultation Responses that indicate that parties have been prejudiced by this.</p>
5	<p>Have any Adequacy of Consultation Representations⁴ been received from ‘A’, ‘B’, ‘C’ and ‘D’ local authorities; and if so, do they confirm that the Applicant has complied with the duties under s42, s47 and s48?</p>	<p>Yes.</p> <p>There are 10 host and neighbouring authorities, of which four responded to the Planning Inspectorate’s invitation to make an Adequacy of Consultation Representation (AoCR).</p> <p>All four responding authorities confirmed in their AoCR that either the Applicant had complied with its duties under s42, s47 and s48 of the PA2008 and/ or that their authority had no comments/ objections to make. These local authorities were:</p> <ul style="list-style-type: none"> • Newcastle City Council (‘A’ authority) • Gateshead Council (‘A’ authority) • Durham County Council (‘A’ authority)

⁴ Section 55(4) of the PA2008 provides that the Planning Inspectorate must have regard to the Consultation Report, and any Adequacy of Consultation Representations received

		<ul style="list-style-type: none"> Northumberland County Council ('B' authority) <p>All AoCRs received have been carefully considered and are available to view on the National Infrastructure Planning website: https://infrastructure.planninginspectorate.gov.uk/projects/north-east/a1-in-northumberland-morpeth-to-ellingham/</p>
Section 42: Duty to consult		
Did the Applicant consult the applicable persons set out in s42 of the PA2008 about the proposed application?		
6	Section 42(1)(a) persons prescribed ⁵ ?	<p>Yes (with minor discrepancies).</p> <p>The Applicant has provided a list of persons consulted under s42(1)(a) on 16 April 2020 at Table 3 of Appendix G of the Consultation Report Appendices (Doc 5.2).</p> <p>A sample of the letter sent to s42(1)(a) consultees is provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p> <p>In addition, the Applicant explains in paragraph 3.19.1 of the Consultation Report (Doc 5.1) that 48 s42(1)(a) prescribed consultees had been inadvertently omitted from the original exercise and were subsequently consulted between 23 May 2020 and 22 June 2020.</p> <p>A sample of the letter dated 23 May 2020 is also provided Appendix H of the Consultation Report Appendices (Doc 5.2).</p> <p>The list of persons consulted under s42(1)(a) is provided at Table 3 of Appendix G of the Consultation Report Appendices (Doc 5.2). This table includes the omitted s42(1)(a) consultees that were consulted on 23 May 2020.</p> <p>It is noted that Eglington Parish Council, identified by the Planning Inspectorate as a potentially relevant Parish Council, has not been consulted by the Applicant under s42(1)(a).</p>

⁵ Statutory consultees set out in Schedule 1 of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP Regulations)

		<p>The Planning Inspectorate has also identified the following parties based on a precautionary interpretation of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 (the APFP Regulations) that were not consulted by the Applicant under s42:</p> <ul style="list-style-type: none"> • Harlaxton Gas Networks Limited • Murphy Gas Networks Limited • Murphy Power Distribution Limited • Fulcrum Electricity Assets Limited <p>The Applicant's Consultation Report (Doc 5.1) does not explain why the bodies identified above have not been consulted. With the exception of Eglington Parish Council, it is noted that the licences held by these bodies cover Great Britain or various smaller areas and the operational areas of each are not clear from information in the public domain.</p> <p>None of the bodies listed above have been identified by the Applicant as having an interest in the Order lands and are not listed in the Book of Reference (Doc 4.3).</p> <p>Given the individual circumstances of this case, the Planning Inspectorate advises taking a precautionary approach to consultation under s42(1)(a) of PA2008 to ensure that all persons potentially affected by, or potentially likely to have an interest in the application are given the opportunity to participate fully in the Examination of the application. On this basis, the Applicant may wish to serve notice on the bodies listed in Box 6 of the section 55 checklist when it serves notice of the accepted application under s56(2)(a) of the PA2008; unless there is a specific justification why this is not necessary.</p>
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7	Section 42(1)(aa) the Marine Management Organisation ⁶ ?	N/a
8	Section 42(1)(b) each local authority within s43 ⁷ ?	<p>Yes.</p> <p>Table 21 of the Consultation Report (Doc 5.1) lists the relevant local authorities that were identified and consulted under s43 and s42(1)(b) between 16 April 2020 and 22 June 2020.</p> <p>The host 'B' authority was consulted:</p> <ul style="list-style-type: none"> • Northumberland County Council <p>The boundary 'A' authorities were consulted:</p> <ul style="list-style-type: none"> • Carlisle District Council • Durham County Council • Cumbria County Council • Eden District Council • Gateshead Council • Newcastle City Council • North Tyneside Council • Northumberland National Park Authority • Scottish Borders Authority <p>A sample of the letter sent to s42(1)(b) relevant authorities is provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p>

⁶ In any case where the Proposed Development would affect, or would be likely to affect, any of the areas specified in s42(2) of the PA2008

⁷ Definition of 'local authority' in s43(3) of the PA2008: The 'B' authority where the application land is in the authority's area; the 'A' authority where any part of the boundary of A's area is also a part of the boundary of B's area; the 'C' authority (upper tier) where the application land is in that authority's area; the 'D' authority (upper tier) where such an authority shares a boundary with a 'C' authority

9	Section 42(1)(c) the Greater London Authority (if in Greater London area)?	N/a
10	Section 42(1)(d) each person in one or more of s44 categories ⁸ ?	<p>Yes.</p> <p>Paragraph 3.14.12 of the Consultation Report (Doc 5.1) states that all persons identified under s42(1)(d) were consulted between 16 April 2020 and 22 June 2020.</p> <p>Paragraphs 4.3.44 to 4.3.58 of the Statement of Reasons (Doc 4.1) summarise how the Applicant made diligent inquiry to seek to identify and consult persons with an interest in lands affected by the Draft DCO (Doc 3.1).</p> <p>The Applicant's Book of Reference (Doc 4.3) lists the persons consulted under s42(1)(d).</p> <p>A sample of the letter is provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p>
Section 45: Timetable for s42 consultation		
11	Did the Applicant notify s42 consultees of the deadline for receipt of consultation responses; and if so, was the deadline notified by the Applicant 28 days or more starting with the day after receipt of the consultation documents?	<p>Yes.</p> <p>A sample of the letters sent to s42 consultees are provided at Appendix H of the Consultation Report Appendices (Doc 5.2).</p> <p>The sample letter dated 14 April 2020 confirmed that consultation would commence on 16 April 2020 and close on 14 May 2020 and the sample letter dated 22 May 2020 confirmed that the additional s42 consultation would commence on 23 May 2020 and close on 22 June 2020.</p> <p>The Applicant provided more than the required minimum time for receipt of responses for both exercises.</p>

⁸ Category 1: owner, lessee, tenant or occupier of land; Category 2: person interested in the land or has power to sell and convey the land or to release the land; Category 3: persons who would or might be entitled to make a relevant claim. There is no requirement on the Planning Inspectorate to check the accuracy of the list(s) provided or whether the Applicant has made diligent inquiry

Section 46: Duty to notify the Planning Inspectorate of proposed application		
12	Did the Applicant supply information to notify the Planning Inspectorate of the proposed application; and if so, was the information supplied to the Planning Inspectorate on or before the date it was sent to the s42 consultees? Was this done on or before commencing consultation under s42?	<p>Yes.</p> <p>The Applicant gave notice under s46 on 15 April 2020, which was before the beginning of s42 consultation.</p> <p>A copy of the s46 notification letter is provided at Appendix I of the Consultation Report Appendices (Doc 5.2).</p>
Section 47: Duty to consult local community		
13	Did the Applicant prepare a Statement of Community Consultation (SoCC) on how it intended to consult people living in the vicinity of the land?	<p>Yes.</p> <p>A copy of the final SoCC is provided at Appendix F of the Consultation Report Appendices (Doc 5.2).</p>
14	Were 'B' and (where relevant) 'C' authorities consulted about the content of the SoCC; and if so, was the deadline for receipt of responses 28 days beginning with the day after the day that 'B' and (where applicable) 'C' authorities received the consultation documents?	<p>Yes.</p> <p>The Applicant sent the draft SoCC to Northumberland County Council (NCC) ('B Authority') on 3 April 2020 and requested response "<i>within 28 days</i>".</p> <p>NCC responded with its comments on the draft SoCC on 15 April 2020.</p> <p>A copy of the email requesting comments on the draft SoCC is provided at Appendix D of the Consultation Report Appendices (Doc 5.2) and a copy of NCC's response is provided at Appendix E the Consultation Report Appendices (Doc 5.2).</p> <p>The Planning Inspectorate is satisfied that NCC was adequately consulted on the content of the SoCC.</p>
15	Has the Applicant had regard to any responses received when preparing the SoCC?	<p>Yes.</p> <p>Table 18 of the Consultation Report (Doc 5.1) provides a summary of the consultation response from NCC in respect of the draft SoCC and demonstrates how the Applicant had regard to its content.</p> <p>An example of change from the draft SoCC to the final SoCC is as follows:</p>

		<ul style="list-style-type: none"> Information on the previous consultations held and the decision to combine the two applications into one was moved up to the SoCC Introduction. <p>The Planning Inspectorate is satisfied that the Applicant had regard to the responses received when preparing the SoCC.</p>
16	Has the SoCC been made available for inspection in a way that is reasonably convenient for people living in the vicinity of the land; and has a notice been published in a newspaper circulating in the vicinity of the land which states where and when the SoCC can be inspected?	<p>Yes.</p> <p>The Applicant explains in paragraph 3.14.6 of the Consultation Report (Doc 5.1) that due to the COVID-19 outbreak and Government advice limiting unnecessary travel, the final SoCC was only placed on deposit at one location with restricted viewing hours and by appointment only.</p> <p>The final SoCC was therefore only made available at the following location, which is reasonably convenient having regard to the location of the Proposed Development:</p> <ul style="list-style-type: none"> NCC's offices, County Hall, Morpeth NE61 2EF <p>A notice stating when and where the final SoCC could be inspected was published in:</p> <ul style="list-style-type: none"> Northumberland Gazette - 16 April 2020 <p>The published SoCC notice provided at Appendix K of Consultation Report Appendices (Doc 5.2) states where and when the final SoCC was available to inspect.</p> <p>A clipping of the published advertisement is also provided at Appendix K of the Consultation Report Appendices (Doc 5.2).</p>
17	Does the SoCC set out whether the development is EIA development ⁹ ; and does it set out how the Applicant intends to publicise and consult on the Preliminary Environmental Information?	<p>Yes.</p> <p>Page 2 of the final SoCC at Appendix F of the Consultation Report Appendices (Doc 5.2) sets out that the development is EIA development and sets out how the Applicant intended to publicise and consult on the Preliminary Environmental Information.</p>
18	Has the Applicant carried out the consultation in accordance with the SoCC?	<p>Yes.</p>

⁹ Regulation 12 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 10 of the 2009 EIA Regulations

		<p>Paragraphs 3.17.1 to 3.17.6 of the Consultation Report (Doc 5.1) set out how the community consultation was carried out in line with the final SoCC.</p> <p>Table 23 of the Consultation Report (Doc 5.1) sets out how the Applicant has complied with the commitments set out in the final SoCC.</p> <p>Although the Planning Inspectorate is satisfied that the Applicant has carried out the consultation in line with the final SoCC, the following observations have been noted with regards to evidencing certain commitments that have been carried out:</p> <ul style="list-style-type: none"> • Screenshots of the scheme webpage showing the documents available to view and website traffic data has not been provided. • Photographic evidence of the deposit location documents in situ and information on the number of requests to view the documents has not been provided. • An example of an outgoing email alert and information on the number of subscribers has not been provided.
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Section 48: Duty to publicise the proposed application

19	Did the Applicant publicise the proposed application in the prescribed manner set out in Regulation 4(2) of the APFP Regulations?	<p>Yes.</p> <p>Table 24 of the Consultation Report (Doc 5.1) displays the newspapers and dates of s48 publicity as set out below.</p> <p>Copies of the s48 notices in situ, as set out below, have been provided at Appendix K of the Consultation Report Appendices (Doc 5.2).</p>
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		Newspaper(s)	Date
a)	for at least two successive weeks in one or more local newspapers circulating in the vicinity in which the Proposed Development would be situated;	<ul style="list-style-type: none"> • Northumberland Gazette 	16 and 23 April 2020
b)	once in a national newspaper;	<ul style="list-style-type: none"> • The Times 	16 April 2020

c)	once in the London Gazette and, if land in Scotland is affected, the Edinburgh Gazette; and	<ul style="list-style-type: none"> The London Gazette 	16 April 2020		
d)	where the proposed application relates to offshore development – (i) once in Lloyds List; and (ii) once in an appropriate fishing trade journal?	N/a	N/a		
20	Did the s48 notice include the required information set out in Regulation 4(3) of APFP Regulations?	Yes. The published s48 notices, supplied at Appendix K of the Consultation Report Appendices (Doc 5.2) contains the required information as set out below:			
Information		Paragraph	Information	Paragraph	
a)	the name and address of the Applicant.	1	b)	a statement that the Applicant intends to make an application for development consent to the Secretary of State	1
c)	a statement as to whether the application is EIA development	4	d)	a summary of the main proposals, specifying the location or route of the Proposed Development	3
e)	a statement that the documents, plans and maps showing the nature and location of the Proposed Development are available for inspection free of charge at the places (including at least one address in the vicinity of the Proposed Development) and times set out in the notice	6	f)	the latest date on which those documents, plans and maps will be available for inspection	7
g)	whether a charge will be made for copies of any of the documents, plans or maps and the amount of any charge	6	h)	details of how to respond to the publicity	9

i)	a deadline for receipt of those responses by the Applicant, being not less than 28 days following the date when the notice is last published	11	
21	<p>Are there any observations in respect of the s48 notice provided above?</p> <p>Yes</p> <p>The Planning Inspectorate notes that in Table 36, paragraph 57 of the Consultation Report (Doc 5.1) the Applicant describes identifying an error made in the calculation of the statutory consultation period and explains that it extended the consultation period from 14 May to 21 May 2020 in recognition of the fact. The Applicant has provided evidence of responses to the consultation after the close of the initial deadline of 14 May 2020.</p>		
22	<p>Has a copy of the s48 notice been sent to the EIA consultation bodies and to any person notified to the Applicant in accordance with the EIA Regulations¹⁰?</p>	<p>Yes (with minor discrepancies)</p> <p>A copy of the s48 notice is stated in paragraph 3.14.13 of the Consultation Report (Doc 5.1) as being sent to the EIA consultation bodies two days prior to the s42 consultation.</p> <p>Samples of the s42 consultation letters provided at Appendix H of the Consultation Report Appendices (Doc 5.2) do not, however, confirm that copies of the s48 notices were enclosed.</p> <p>Section 42(1)(a) prescribed consultees who were inadvertently omitted from the statutory consultation held between 16 April 2020 and 21 May 2020 were then sent the same letter that was provided in the statutory consultation.</p> <p>Paragraph 3.19.2 of the Consultation Report (Doc 5.1) does not confirm that a copy of the s48 notice was enclosed in the targeted consultation exercise.</p> <p>The Applicant has stated in the Consultation Report that the duty under Regulation 13 of The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, to send a copy of the notice of the proposed application to the consultation bodies and to any person notified to the applicant in accordance with Regulation 11(1)(c), was carried</p>	

¹⁰ Regulation 13 of the 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, Regulation 11 of the 2009 EIA Regulations

		<p>out in the statutory consultation period. However, the Applicant has not provided evidence of this fact and does not specify that the s48 notice was sent to the prescribed consultees during further targeted consultation.</p> <p>The Planning Inspectorate advises that it is the Applicants' responsibility to ensure that it has fully consulted its identified consultation bodies and persons notified to the Applicant in accordance with Regulation 11(1)(c) in line with the Regulations.</p>
s49: Duty to take account of responses to consultation and publicity		
23	Has the Applicant had regard to any relevant responses to the s42, s47 and s48 consultation?	<p>Yes.</p> <p>Tables N.10 to N.14 of Appendix N of the Consultation Report (Doc 5.1) set out how the Applicant had regard to the consultation responses received; including whether responses led to changes to the application.</p> <p>The actions informed by the consultation responses appear to be reflected in the final form of the application as submitted. Where a particular response has not led to a change in the application, it is sufficiently clear that regard was had to it.</p>
Guidance about pre-application procedure		
24	To what extent has the Applicant had regard to statutory guidance 'Planning Act 2008: Guidance on the pre-application process' ¹¹ ?	<p>Paragraph 5.1.6 of the Consultation Report (Doc 5.1) states that the Applicant has taken into consideration all relevant statutory and other guidance.</p> <p>Having reviewed the application, the Planning Inspectorate is satisfied that the Applicant has identified and had regard to the relevant statutory guidance.</p>
25	Summary: Section 55(3)(e)	A number of discrepancies have been identified, the majority of which the Applicant sought to remedy during the pre-application process. Further information has been provided in respect of a precautionary approach to the requirements under s56(2)(a) of the PA2008. The Planning Inspectorate concludes that the Applicant has complied with Chapter 2 of Part 5 (pre-application procedure) of the PA2008

¹¹ The Planning Inspectorate must have regard to the extent to which the Applicant has had regard to guidance issued under s50

s55(3)(f) and s55(5A): The application (including accompaniments) achieves a satisfactory standard having regard to the extent to which it complies with section 37(3) (form and contents of application) and with any standards set under section 37(5) and follows any applicable guidance under section 37(4)

26	Is it made in the prescribed form as set out in Schedule 2 of the APFP Regulations, and does it include: <ul style="list-style-type: none"> a brief statement which explains why it falls within the remit of the Planning Inspectorate; and a brief statement that clearly identifies the location of the application site, or the route if it is a linear scheme? 	<p>Yes.</p> <p>Section 4 of the Application Form (Doc 1.3) explains why the development falls within the remit of the Planning Inspectorate.</p> <p>Section 5 of the Application Form (Doc 1.3) provides a brief non-technical description of the site and section 6 provides the location of the Proposed Development.</p> <p>A Location Plan (Doc 2.1) has been provided.</p>									
27	Is it accompanied by a Consultation Report?	<p>Yes.</p> <p>The application is accompanied by a Consultation Report (Doc 5.1) and Consultation Report Appendices (Doc 5.2).</p>									
28	Where a plan comprises three or more separate sheets, has a key plan been provided showing the relationship between the different sheets? ¹²	Yes.									
29	Is it accompanied by the documents and information set out in APFP Regulation 5(2)?	The documents and information required by APFP Regulation 5(2) are set out in the documents and locations within the application as listed below:									
<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>a) Where applicable, the Environmental Statement required under the</td> <td>Environmental Statement Volume 1 Chapters 1-4 (Doc 6.1)</td> </tr> </tbody> </table>		Information	Document	a) Where applicable, the Environmental Statement required under the	Environmental Statement Volume 1 Chapters 1-4 (Doc 6.1)	<table border="1"> <thead> <tr> <th>Information</th> <th>Document</th> </tr> </thead> <tbody> <tr> <td>b) The draft Development Consent Order (DCO)</td> <td>Draft Development Consent Order (Doc 3.1)</td> </tr> </tbody> </table>		Information	Document	b) The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)
Information	Document										
a) Where applicable, the Environmental Statement required under the	Environmental Statement Volume 1 Chapters 1-4 (Doc 6.1)										
Information	Document										
b) The draft Development Consent Order (DCO)	Draft Development Consent Order (Doc 3.1)										

¹² Regulation 5(4) of The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

	EIA Regulations ¹³ and any scoping or screening opinions or directions	Environmental Statement Volume 2 Part A Chapters 5 – 15 (Doc 6.2) Environmental Statement Volume 3 Part B Chapters 5 – 15 (Doc 6-3) Environmental Statement Volume 4 Chapters 16 and 17 (Doc 6.4) Environmental Statement Volume 5 Part A Figures (Doc 6.5) Environmental Statement Volume 6 Part B Figures (Doc 6.6) Environmental Statement Volume 7 Part A Appendices (Doc 6.7) Environmental Statement Volume 8 Part B Appendices (Doc 6.8) Environmental Statement Non- Technical Summary (Doc 6.9) Scoping Opinion Part A (Doc 6.12) Scoping Opinion Part B (Doc 6.13)			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
c)	An Explanatory Memorandum explaining the purpose and effect	Explanatory Memorandum (Doc 3.2)	d)	Where applicable, a Book of Reference (where the application involves any Compulsory Acquisition)	Book of Reference (Doc 4.3)

¹³ The 2017 EIA Regulations, or where Regulation 37 of the 2017 EIA Regulations applies, the 2009 EIA Regulations

	of provisions in the draft DCO			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
e)	A copy of any Flood Risk Assessment	ES Appendix 10.1 Flood Risk Assessment Part A (Doc 6.7) ES Appendix 10.1 Flood Risk Assessment Part B (Doc 6.8)	f)	A statement whether the proposal engages one or more of the matters set out in section 79(1) of the Environmental Protection Act 1990 (statutory nuisances) and if so how the Applicant proposes to mitigate or limit them Statement Relating to Statutory Noise (Doc 6.15)
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
h)	A Statement of Reasons and a Funding Statement (where the application involves any Compulsory Acquisition)	Statement of Reasons (Doc 4.1)	i)	A Land Plan identifying:- (i) the land required for, or affected by, the Proposed Development; (ii) where applicable, any land over which it is proposed to exercise powers of Compulsory Acquisition or any rights to use land; Land Plans (Doc 2.2)

				(iii) any land in relation to which it is proposed to extinguish easements, servitudes and other private rights; and (iv) any special category land and replacement land	
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard?	Yes
j)	A Works Plan showing, in relation to existing features:- (i) the proposed location or (for a linear scheme) the proposed route and alignment of the development and works; and (ii) the limits within which the development and works may	Works Plans (Doc 2.3)		k) Where applicable, a plan identifying any new or altered means of access, stopping up of streets or roads or any diversions, extinguishments or creation of rights of way or public rights of navigation	Rights of Way and Access Plans (Doc 2.5)

	be carried out and any limits of deviation provided for in the draft DCO			
	Is this of a satisfactory standard?	Yes		Is this of a satisfactory standard? Yes
i)	Where applicable, a plan with accompanying information identifying:- (i) any statutory/ non-statutory sites or features of nature conservation eg sites of geological/ landscape importance; (ii) habitats of protected species, important habitats or other diversity features; and	Part A (i) Figure 7.1 Landscape and Visual Impact Assessment Part A (Doc 6.5) Figure 7.2 Landscape Character Areas Part A (Doc 6.5) Figure 7.3 Zone of Theoretical Visibility Part A (Doc 6.5) (ii) Figure 9.3 Statutory Designated Sites Part A (Doc 6.5) Pages 1-2 Figure 9.4 Non-Statutory Designated Sites Part A (Doc 6.5) Pages 1-2 (iii) Part A - Water Framework Directive Assessment: Figure 3.1 WFD catchments (Doc 6.7) Part A – Hydrology – Surface Watercourses (Doc 6.5)	m)	Where applicable, a plan with accompanying information identifying any statutory/ non-statutory sites or features of the historic environment, (eg scheduled monuments, World Heritage sites, listed buildings, archaeological sites and registered battlefields) together with an assessment of any effects on such sites, features or structures likely to be caused by the Proposed Development Part A Figure 8.1 Designated Heritage Assets (Doc 6.5) Part A Pages 1- 5 Figure 8.2 Non-Designated Heritage Assets (Doc 6.5) Part A Pages 1-5 Figure 8.3 Historic Landscapes (Doc 6.5) Part A Pages 1 - 4 Part B Figure 8.1 Designated heritage Assets within 1km Part B (Doc 6.6) Figure 8.2 Non-Designated Assets within 500m Part B (Doc 6.6) Figure 8.3 Historic Landscape Characterisation Part B (Doc 6.6) Figure 8.4 Geophysical Survey Part A (Doc 6.5) Pages 1-4

<p>(iii) water bodies in a river basin management plan,</p> <p>together with an assessment of any effects on such sites, features, habitats or bodies likely to be caused by the Proposed Development</p>	<p>Part B</p> <p>(i)</p> <p>Figure 7.5 Landscape Character Areas Part B (Doc 6.6)</p> <p>Figure 7.6 Local Landscape Character Part B (Doc 6.6)</p> <p>(ii)</p> <p>Figure 9.1 Statutory Designated Sites Part B (Doc 6.6) Pages 1-2</p> <p>Figure 9.2 Habitats of Principal Importance and Non-Statutory Sites Part B (Doc 6.6) Pages 1-4</p> <p>Figure 9.3 Phase 1 Habitat Survey Part B (Doc 9.3) Pages 1-14</p> <p>Figure 9.5 Otter and Water Vole Survey Locations Part B (Doc 6.6) Pages 1-4</p> <p>Figure 9.11 Bat Transect Routes Transect All: (Doc 6.6) Pages 1- 4</p> <p>Figure 9.13 Bat Box Locations Part B (Doc 6.6)</p> <p>Figure 9.17 Barn Owl Flight Activity and Habitat Type survey Results Part B (Doc 6.6) Pages 1-9</p> <p>Figure 9.19 Pond Locations Part B (Doc 6.6) Pages 1-2</p>			
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		<p>Figure 9.20 Reptile Survey Site Locations Part B (Doc 6.6) Pages 1-9</p> <p>Badger Survey Results Part B (Doc 6.6) (confidential)</p> <p>(iii)</p> <p>Water Framework Directive Assessment: Figure 3.1 WFD catchments Part B (Doc 6.8)</p> <p>Water Constraints Plan Part B (Doc 6.5)</p>		
	Is this of a satisfactory standard?	Yes (with minor discrepancies as noted in Box 30)		Is this of a satisfactory standard? Yes
n)	Where applicable, a plan with any accompanying information identifying any Crown land	N/a	o)	<p>Any other plans, drawings and sections necessary to describe the development consent proposal showing details of design, external appearance, and the preferred layout of buildings/ structures, drainage, surface water management, means of vehicular and pedestrian access, any car parking and landscaping</p> <p>General Arrangement Plans (Doc 2.4) Traffic Regulation Plans (Doc 2.6) Vegetation Clearance Plans (Doc 2.9)</p>
	Is this of a satisfactory standard?	N/a		Are they of a satisfactory standard? Yes

p)	Any of the documents prescribed by Regulation 6 of the APFP Regulations:	Engineering Section Drawings (Doc 2.7) Structures Engineering Drawings & Sections (Doc 2.8)	q)	Any other documents considered necessary to support the application	Introduction to the Application (Doc 1.1) Covering Letter and Schedule of Compliance with section 55 (Doc 1.2) Guide to the Documents to be Certified (Doc 1.4) Consents and Agreements Position Statement (Doc 3.3) Case for the Scheme (Doc 7.1) National Policy Statement for National Networks Accordance Table (Doc 7.2) Outline Construction Environmental Management Plan (Doc 7.3) Construction Traffic Management Plan (Doc 7.4) Verification Certification for Draft Development Consent Order (N/a)
	Are they of a satisfactory standard?	Yes		Are they of a satisfactory standard?	Yes
30	Are there any observations in respect of the documents provided at Box 29 (a) to (q) above? Yes				
	The Planning Inspectorate notes that on numerous occasions, Environmental Statement Figures and Appendices are assigned the same reference number making the navigation of the documentation difficult.				
31	Is the application accompanied by a report identifying any European site(s) to which Regulation 48 of The	Yes.			

	Conservation (Natural Habitats, &c.) Regulations 1994 applies; or any Ramsar site(s), which may be affected by the Proposed Development, together with sufficient information that will enable the Secretary of State to make an appropriate assessment of the implications for the site if required by Regulation 48(1)? ¹⁴	<p>A Habitat Regulations Assessment (HRA) Report has been provided (Doc 6.14). An assessment for both Part A and Part B is contained within this document.</p> <p>The HRA Report identifies relevant European sites and the likely effects on those sites. It is considered that the information provided in the report is adequate for acceptance.</p> <p>Note: The Examining Authority will be able to ask questions during the Examination. This may result in additional information being required to inform the HRA Report and the competent authority. Depending upon the type and availability of information required it may not be possible to obtain this during the statutory timetable of the Examination.</p>
32	If requested by the Planning Inspectorate, two paper copies of the application form and other supporting documents and plans ¹⁵	No hard copies requested.
33	Has the Applicant had regard to statutory guidance 'Planning Act 2008: Application form guidance', and has this regard led to the application being prepared to a standard that the Planning Inspectorate considers satisfactory?	<p>Yes.</p> <p>Chapter 3 of the Covering letter and Schedule of Compliance with Section 55 (Doc 1.2) explains how the Applicant has had regard to statutory guidance on the form of the application.</p> <p>The Planning Inspectorate is satisfied that the Applicant has demonstrated regard to the guidance principles.</p>
34	Summary - s55(3)(f) and s55(5A)	<p>The Planning Inspectorate concludes that the application (including accompaniments) has been prepared to a standard that it considers satisfactory.</p> <p>In respect of the discrepancies identified in Box 30 of this checklist, to help facilitate an efficient and effective examination of the application further information may be provided to the Applicant in conjunction with the decision to accept the application.</p>

The Infrastructure Planning (Fees) Regulations 2010 (as amended)

¹⁴ Regulation 5(2)(g) of the APFP Regulations

¹⁵ Regulation 5(2)(r) of the APFP Regulations

Fees to accompany an application		
35	Was the fee paid at the same time that the application was made ¹⁶ ?	The fee was received on 18 September 2019 with an additional amount paid on 14 May 2020 to reflect a standard increase in fees taking effect 1 April 2020; before the application was made.

Role	Electronic signature	Date
Case Manager	<i>Candice Patten</i>	04 August 2020
Acceptance Inspector	<i>Kevin Gleeson</i>	04 August 2020

¹⁶ The Planning Inspectorate must charge the Applicant a fee in respect of the decision by the Planning Inspectorate under section 55 of the PA2008. If the Applicant fails to pay the fee, the Planning Inspectorate need not consider the application until payment is received. The fee must be paid at the same time that the application is made